

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

AMANDA BOSARGE, et al.

PLAINTIFFS

v.

CIVIL ACTION NO.: 1:22-CV-00233-HSO-BWR

DANIEL P. EDNEY, et al.

DEFENDANTS

MOTION FOR EXTENSION OF TIME

COMES NOW, DEFENDANT, Dr. Archie R. Mitchell, in his Official Capacity as Principal of Senatobia Elementary School, by and through counsel, and prays that this Court grant an extension through and including December 28, 2022, to file an answer or file a responsive pleading to the multiple documents filed herein by Plaintiffs, to-wit:

1. Undersigned counsel for Defendant Dr. Mitchell was only recently retained and requires additional investigation and assessment of the record prior to filing an answer or responsive pleading as required by the *Federal Rules of Civil Procedure*. Also, due to prior professional commitments and other matters set on the undersigned's docket for the current months of November and December 2022, including the Thanksgiving and Christmas holiday schedules and school closings with employees out for the holidays, Defendant requires more time to file a responsive pleading.

2. The answer or responsive pleading to the Complaint is due November 28, 2022, for Dr. Archie Mitchell. Defendant Mitchell was served on November 4, 2022.

3. At the same time, it appears that Defendant Mitchell was served with a Motion for Preliminary Injunction and a Motion for Summary Judgment.

4. Since then, it appears that other school defendants have deferred answering the Complaint and these motions. The undersigned counsel needs time to assess these strategies and discuss the same with her client.

5. A 30-day extension of the deadline to file an answer, and responsive pleadings to the Motion for Preliminary Injunction, and the Motion for Summary Judgment, or request from the Court relief from being required to file the same, up to and including December 28, 2022, will not cause any undue hardship or prejudice the interest of any party.

6. Because of the holidays and office closings, the undersigned was only able to contact Plaintiffs' counsel today. Counsel for Plaintiffs has been contacted, and the request for extension is opposed.

7. Movant requests that she be relieved from the requirement of submitting a separate memorandum brief, as the instant motion is self-explanatory and the requested relief is consistent with the *Federal Rules of Civil Procedure*.

WHEREFORE, Defendant prays that the Court enlarge the deadline for him to file an answer or responsive pleading to Plaintiffs' Complaint and responsive pleadings to the Motion for Preliminary Injunction, and the Motion for Summary Judgment, or request from the Court relief from filing the same, up to and including December 28, 2022.

RESPECTFULLY SUBMITTED this the 28th day of November, 2022.

JACKS| GRIFFITH| LUCIANO, P.A.

By: /s/ **Bethany A. Tarpley**
Bethany A. Tarpley, MS Bar No. 104134
Daniel J. Griffith, MS Bar No. 8366
Mary McKay Griffith, MS Bar No. 100785
Attorneys for Defendant Dr. Archie Mitchell

Of Counsel:

JACKS| GRIFFITH| LUCIANO, P.A.

150 North Sharpe Street

P. O. Box 1209

Cleveland, MS 38732

Phone No. 662-843-6171

FAX No. 662-843-6176

Email: btarpley@jlpalaw.com
dgriffith@jlpalaw.com
mgriffith@jlpalaw.com

CERTIFICATE OF SERVICE

I, Bethany A. Tarpley, attorney of record for Defendant, Dr. Archie Mitchell, do hereby certify that I have this day caused a true and correct copy of the above and foregoing *Motion for Time to File Responsive Pleading* to be delivered by the ECF Filing System which gave notice to the following:

Walker D. Moller, Esq.
Siri & Glinstad, LLP - Austin
Email: wmoller@sirillp.com
Attorney for Plaintiffs

Aaron Siri, Esq.
Catherine Cline, Esq.
Elizabeth A. Brehm, Esq.
Siri & Glinstad, LLP - New York
Email: aaron@sirillp.com
ccline@sirillp.com
ebrehm@sirillp.com
Attorneys for Plaintiffs

Christopher D. Wiest, Esq.
Chris Wiest, Attorney-at-Law, PLLC
Email: chris@cwiestlaw.com

Joseph A. O'Connell, Esq.
Bryan Nelson, P.A. - Hattiesburg
Email: joconnell@bnlawfirm.com
Attorney for Ashley Blackman and Ashley Allred

Robert W. Wilkinson, Esq.
Alexander Kelly Sesoms, III, Esq.
Wilkinson, Williams, Bosio, & Sessoms, PLLC - Pascagoula
Email: rwilkinson@wwbslaw.com
ksessoms@wwbslaw.com
Attorneys for Douglas L. Tynes

DATED this 28th day of November, 2022.

/s/ **Bethany A. Tarpley**

Bethany A. Tarpley